

(1) five members shall represent trust fund account holders, including both tribal and individual Indian Money accounts;

(2) two members shall have practical experience in trust fund and financial management;

(3) one member shall have practical experience in fiduciary investment management; and

(4) one member, from academia, shall have knowledge of general management of large organizations.

(b) Term

Each member shall serve a term of two years.

(c) FACA

The advisory board shall not be subject to the Federal Advisory Committee Act.

(d) Termination

The advisory board shall terminate upon termination of the Office of Special Trustee.

(Pub. L. 103-412, title III, § 306, Oct. 25, 1994, 108 Stat. 4249; Pub. L. 104-109, § 6(b), Feb. 12, 1996, 110 Stat. 764.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (c), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

1996—Subsec. (d). Pub. L. 104-109 substituted “advisory board” for “Advisory Board”.

APPOINTMENT OF NEW MEMBERS

Pub. L. 108-7, div. F, title I, § 133, Feb. 20, 2003, 117 Stat. 243, provided that: “Within 90 days of enactment of this Act [Feb. 20, 2003] the Special Trustee for American Indians, in consultation with the Secretary of the Interior and the Tribes, shall appoint new members to the Special Trustee Advisory Board.”

SUBCHAPTER IV—AUTHORIZATION OF
APPROPRIATIONS

§ 4061. Authorization of appropriations

There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this chapter.

(Pub. L. 103-412, title IV, § 401, Oct. 25, 1994, 108 Stat. 4249.)

**CHAPTER 43—NATIVE AMERICAN HOUSING
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 - (a) In general.
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 - 4243. Authorization of appropriations.

§ 4101. Congressional findings

The Congress finds that—

(1) the Federal Government has a responsibility to promote the general welfare of the Nation—

(A) by using Federal resources to aid families and individuals seeking affordable homes in safe and healthy environments and, in particular, assisting responsible, deserving citizens who cannot provide fully for themselves because of temporary circumstances or factors beyond their control;

(B) by working to ensure a thriving national economy and a strong private housing market; and

(C) by developing effective partnerships among the Federal Government, State, tribal, and local governments, and private entities that allow government to accept responsibility for fostering the development of a healthy marketplace and allow families to prosper without government involvement in their day-to-day activities;

(2) there exists a unique relationship between the Government of the United States and the governments of Indian tribes and a unique Federal responsibility to Indian people;

(3) the Constitution of the United States invests the Congress with plenary power over the field of Indian affairs, and through treaties, statutes, and historical relations with Indian tribes, the United States has undertaken a unique trust responsibility to protect and support Indian tribes and Indian people;

(4) the Congress, through treaties, statutes, and the general course of dealing with Indian tribes, has assumed a trust responsibility for the protection and preservation of Indian tribes and for working with tribes and their members to improve their housing conditions and socioeconomic status so that they are able to take greater responsibility for their own economic condition;

(5) providing affordable homes in safe and healthy environments is an essential element in the special role of the United States in helping tribes and their members to improve their housing conditions and socioeconomic status;

(6) the need for affordable homes in safe and healthy environments on Indian reservations, in Indian communities, and in Native Alaskan villages is acute and the Federal Government should work not only to provide housing assistance, but also, to the extent practicable, to assist in the development of private housing finance mechanisms on Indian lands to achieve the goals of economic self-sufficiency and self-determination for tribes and their members; and

(7) Federal assistance to meet these responsibilities should be provided in a manner that recognizes the right of Indian self-determination and tribal self-governance by making such assistance available directly to the Indian tribes or tribally designated entities under authorities similar to those accorded Indian tribes in Public Law 93-638 (25 U.S.C. 450 et seq.).

(Pub. L. 104-330, § 2, Oct. 26, 1996, 110 Stat. 4017.)

REFERENCES IN TEXT

Public Law 93-638, referred to in par. (7), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, as amended, known as the Indian Self-Determination and Education Assistance Act, which is classified principally to subchapter II (§ 450 et seq.) of chapter 14 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 450 of this title and Tables.

EFFECTIVE DATE

Section 107 of Pub. L. 104-330 provided that: “Except as otherwise expressly provided in this Act [see Short Title note below], this Act and the amendments made by this Act shall take effect on October 1, 1997.”

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-393, § 1, Oct. 30, 2004, 118 Stat. 2246, provided that: “This Act [amending section 4191 of this title] may be cited as the ‘Homeownership Opportunities for Native Americans Act of 2004’.”

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107-292, § 1, Nov. 13, 2002, 116 Stat. 2053, provided that: “This Act [amending sections 4103, 4111, 4114, 4116, 4117, 4132, 4191, 4195, and 4212 of this title and section 1715z-13a of Title 12, Banks and Banking] may be cited as the ‘Native American Housing Assistance and Self-Determination Reauthorization Act of 2002’.”

SHORT TITLE OF 2000 AMENDMENTS

Pub. L. 106-569, title V, § 511, Dec. 27, 2000, 114 Stat. 2966, provided that: “This subtitle [subtitle B (§§ 511-514) of title V of Pub. L. 106-569, enacting subchapter VIII of this chapter, section 1715z-13b of Title 12, Banks and Banking, and provisions set out as notes under section 4221 of this title] may be cited as the ‘Hawaiian Homelands Homeownership Act of 2000’.”

Pub. L. 106-568, § 1, Dec. 27, 2000, 114 Stat. 2868, provided that: “This Act [see Tables for classification] may be cited as the ‘Omnibus Indian Advancement Act’.”

Pub. L. 106-568, title II, § 201, Dec. 27, 2000, 114 Stat. 2872, provided that: “This title [enacting subchapter VIII of this chapter, section 1715z-13b of Title 12, Banks and Banking, and provisions set out as notes under section 4221 of this title] may be cited as the ‘Hawaiian Homelands Homeownership Act of 2000’.”

SHORT TITLE

Section 1(a) of Pub. L. 104-330 provided that: “This Act [enacting this chapter and section 12899h-1 of Title 42, The Public Health and Welfare, amending sections 1715z-13a and 1721 of Title 12, Banks and Banking, and sections 1437a, 1437c to 1437e, 1437g, 1437i, 1437n, 1437u to 1437x, 1437aaa-5, 1437aaa-6, 1439, 11371 to 11376, 11382, 11401, 11403g, 11408, 11902 to 11905, 12747, and 12838 of Title 42, repealing sections 1437aa to 1437ee of Title 42, enacting provisions set out as notes under this section and sections 4181 and 4211 of this title and sections 11371, 12747, and 12899h-1 of Title 42, amending provisions set out as a note under section 11301 of Title 42, and repealing provisions set out as a note under section 1701z-6 of Title 12] may be cited as the ‘Native American Housing Assistance and Self-Determination Act of 1996’.”